

36779



Attorney's Docket No. 038190/239691

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Peter Holemans et al.
Appl No.: 10/058,952
Filed: January 28, 2002
For: DAMAGE TOLERANT SHAFT
AND ASSOCIATED FABRICATION METHOD

Confirmation No.: 4630
Group Art Unit: 3679
Examiner: Gregory John Binda

RECEIVED
MAY 08 2003
GROUP 3600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated April 22, 2003, in which the Examiner has required restriction between Group I, namely Claims 1 – 16, Group II, namely Claims 17 – 24. Applicant hereby provisionally elects with traverse to prosecute the claims of Group I (Claims 1 – 16) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,


Guy R. Gosnell
Registration No. 34,610

CUSTOMER NO. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

In re: Peter Holemans et al

Appl No.: 10/058,952

Filed: January 28, 2002

Page 2

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 2, 2003

A handwritten signature in cursive script, reading "Sarah B. Simmons". The signature is written in dark ink and is positioned above a horizontal line.

Sarah B. Simmons

CLT01/4589563v1